

06/02/00

JCS56 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.

98-37

Total Pages

56

First Named Inventor or Application Identifier

HILL et al.

Title

AVERAGE VOLUME VENTILATION

Express Mail Label No.

EL491475035US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 42]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. § 113) [Total Sheets 3]
4. ☒ Oath or Declaration [Total Pages 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
 - c. ☐ Unsigned
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ADDRESS TO:

 Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

6. DOMESTIC/INTERNATIONAL priority is claimed under 35 U.S.C. § 119(e)/120/365(c) based on the following provisional, nonprovisional, and/or PCT international applications.

	Application No.	Filing Date
(1)	60/139,424	June 15, 1999
(2)		

7. ☒ Prior application is assigned to Respironics, Inc. by Assignment recorded July 26, 1999 Reel 010116 Frame(s) 0025.

ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & document(s))
(Please return recorded assignment to the undersigned)
9. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard
(Should be specifically itemized)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Certificate of Mailing by Express Mail
16. ☐ Other: _____

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____

Prior application Information: Examiner: _____ Group/ArtUnit: _____

18. Please amend the specification by inserting before the first line the sentence: This is a ☐ Continuation ☐ Divisional

☐ Continuation-in-part (CIP) of prior application No. _____

18. CORRESPONDENCE ADDRESS

NAME	Michael W. Haas Intellectual Property Counsel RESPIRONICS, Inc.				
ADDRESS	1501 Ardmore Boulevard				
CITY	Pittsburgh	STATE	PA	ZIP CODE	15221-4401
COUNTRY	US	TELEPHONE	412-473-5026	FAX	412-473-5021

Name	Michael W. Haas	Reg. No.	35,174
Signature	<i>Michael W. Haas</i>	Date	June 2, 2000

FEE TRANSMITTAL

(Effective 01/01/2000)

Application Number	98-37
Filing Date	Not Yet Assigned
First Named Inventor	HILL et al.
Group Art Unit	Unknown
Examiner's Name	Unknown
Attorney Docket No.	98-37

JC75P U.S. PTO
09/586054
06/02/00

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TOTAL AMOUNT OF PAYMENT \$ 1,180.00

METHOD OF PAYMENT1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number
Deposit
Account
Name

50-0558

Respironics, Inc.

☒Charge any additional
fee required under 37
C.F.R. §§ 1.16, 1.17
1.19 and 1.20☐Charge the Issue Fee set
forth in 37 C.F.R. § 1.182. ☒

Payment Enclosed:

Check (Check No. 326)

FEE CALCULATION (fees effective 11/10/98)**1. FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	690.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) \$ 690.00

2. CLAIMS

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
32	-20*	12	x	18 =	216.00
6	-3*	3	x	78 =	234.00
Multiple Dependent Claims add 260 =					0.00

* Enter Highest Number Previous Paid For

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	78	202	39	Independent claims in excess of 3	
104	260	204	130	Multiple dependent claim	
109	78	209	39	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$ 450.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or declaration	
127	50	227	25	Surcharge - late provisional filing fee or or cover sheet	
145	100	145	100	Certificate of Correction	
147	2,520	147	2,520	For filing a request for reexamination	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	380	216	190	Extension for response within second month	
117	870	217	435	Extension for response within third month	
118	1,360	218	680	Extension for response within fourth month	
128	1,850	228	925	Extension for response within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,210	241	605	Petition to revive unintentionally abandoned application	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
148	110	248	55	Statutory Disclaimer	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of property)	40.00
146	690	246	345	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 C.F.R. § 1.129(b))	
Other Fee (specify) _____					
Other Fee (specify) _____					
SUBTOTAL (3)					\$ 40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	June 2, 2000
		Deposit Account Number	50-0558

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09/586054
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Certificate of Mailing by "Express Mail"

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"Express Mail" label number

June 2, 2000

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to:

The Assistant Commissioner for Patents, Box PATENT APPLICATION, Washington, D.C. 20231.

Michael W. Haas

Signature of person mailing correspondence

Michael W. Haas

Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".